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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

In Re TERRORIST ATTACKS on SEPTEMBER 11, 2001)))
Control of the Contro) 03 MDL 1570 (RCC)
KATHLEEN ASHTON et al., Plaintiffs, v.)) MOTION FOR VOLUNTARY) DISMISSAL OF NAMED DEFENDANTS) IN EXHIBIT A
AL QAEDA ISLAMIC ARMY et al.,) 02 CV 6977 (RCC)
Defendants.)))

PLEASE TAKE NOTICE, the undersigned moves this Court, U.S. Courthouse, 500 Pearl Street, New York, New York 10007, on the 30th day of September, 2005, for an order pursuant to Fed.R.Civ.P., 41(a)(1) granting the voluntary dismissal of the defendants listed in Exhibit A, without prejudice, in the *Ashton, et a. v. Al Qaeda Islamic Army, et al* action.

An affirmation is attached hereto in support.

Dated: New York, New York September 30, 2005

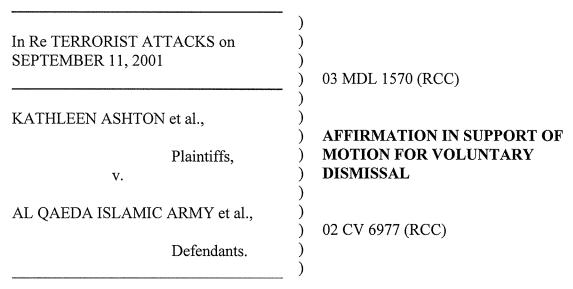
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By: ___

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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK



ANDREW J. MALONEY III, an attorney admitted to practice in the Courts of the State of New York, and a member of the firm of Kreindler & Kreindler LLP, attorneys of record in this action for the *Ashton* plaintiffs, affirms under penalties of perjury the following:

- 1. I am fully familiar with the facts and circumstances related to the within action and submit this Affirmation in support of plaintiff's Motion for Voluntary Dismissal.
- 2. Defendants listed in Exhibit A and sued in the *Ashton* Complaint and subsequent amended complaints, have neither moved nor appeared with counsel in this case.

- 3. In an effort to narrow the focus of the *Ashton* suit and further streamline this complex litigation, the *Ashton* plaintiffs have continued to evaluate the case during their ongoing investigation and have elected to voluntarily dismiss defendants listed on Exhibit A without prejudice, with each party to bear its own fees and costs, if any.
- 4. Accordingly, *Ashton* plaintiffs respectfully request the motion and attached order be granted.

	/s/		
Andı	ew J. Malon	ney III	

Exhibit A

Mohamed al Hamati

Abdelhadi al Iraqi

Ibn al Sheikh al Libi

Bensayeh Belkacem

Zakariya Essabar

Nurjaman Riduan Ismuddin aka Hambali

Lebanese Hezbollah

Abdelghani Mzoudi

Estate of Qusay Hussein

Estate of Uday Hussein

Imad Mughniyeh

Gulf Center S.R.L.

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SOUTHERN DISTRICT OF NEW YORK	
In Re TERRORIST ATTACKS on)
SEPTEMBER 11, 2001)
) 03 MDL 1570 (RCC)
KATHLEEN ASHTON et al.,)
) ORDER GRANTING
Plaintiffs,) VOLUNTARY DISMISSALS
V.)
AL QAEDA ISLAMIC ARMY et al.,) 02 CV 6977 (RCC)
Defendants.)
Defendants.)

THIS MATTER having come before the Court on Motion of Plaintiffs in *Ashton, et al. v.*Al Qaeda Islamic Army, et al., for an Order voluntarily dismissing, without prejudice, the defendants listed in the attached Exhibit A.

IT IS HEREBY ORDERED that Plaintiff's Motion to voluntarily dismiss the defendants named in Exhibit A of the *Ashton* complaint be GRANTED.

	SO ORDERED:	
Dated:		
		U.S.D.J.

Exhibit A

Mohamed al Hamati

Abdelhadi al Iraqi

Ibn al Sheikh al Libi

Bensayeh Belkacem

Zakariya Essabar

Nurjaman Riduan Ismuddin aka Hambali

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